STATE OF ILLINOIS  )
) SS
COUNTY OF DEKALB  )

ORDINANCE 2019-11

AN ORDINANCE APPROVING A SPECIAL USE PERMIT
FOR A SOLAR GARDEN
FOR PROPERTY LOCATED ON CREGO ROAD
IN AFTON TOWNSHIP

WHEREAS, SolarStone has filed a petition for a Special Use Permit to allow for the
construction and operation of a 2-megawatt solar garden, referred to as Whiskey Acres Project 1,
on the subject property, said subject property being legally described as shown in Exhibit “A”,
attached hereto; and

WHEREAS, following due and proper notice by publication in the Daily Chronicle not less
than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all owners
of property abutting the subject property at least ten (10) days prior thereto, the DeKalb County
Hearing Officer conducted a public hearing on November 8, 2018, at which the petitioner
presented evidence, testimony, and exhibits in support of the requested Special Use Permit, and
where one member of the public asked questions and made comments about the project; and

WHEREAS, the public hearing was continued to November 14, 2018, at which the
petitioner presented a revised site plan relocating the proposed solar garden to a different location
on the subject property in response to concerns and comments made during the previous public
hearing; and

WHEREAS, the Hearing Officer having considered the evidence, testimony and exhibits
presented has made his findings of fact and recommended that the Special Use Permit be granted
with conditions (based upon the revised site plan submitted to him at the November 14, 2018
hearing), as set forth in the Report of Proceedings and Recommendation of the DeKalb County
Hearing Officer, dated November 28, 2018, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Planning and Zoning Committee of the DeKalb County Board has
considered the testimony and exhibits from the public hearing and has considered the findings of
fact and recommendation of the Hearing Officer, and has forwarded to the County Board a
recommendation of approval, with conditions, of an ordinance to grant the Special Use Permit; and

WHEREAS, the DeKalb County Board has considered the Report of Proceedings and
Recommendation of the Hearing Officer and the recommendation of the Planning and Zoning
Committee, and has determined that granting the Special Use Permit to allow the establishment
and operation of a solar garden would be consistent with the requirements established by Section
9.02.B.3 of the DeKalb County Zoning Ordinance;
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, as follows:

SECTION ONE: The Report of Proceedings and Recommendation of the DeKalb County Hearing Officer, Exhibit “B”, attached hereto, is hereby adopted as the findings of fact and conclusions of the DeKalb County Board.

SECTION TWO: Based on the Findings of Fact set forth above, the request for a Special Use Permit for a solar garden, referred to Whiskey Acres Project 1, on property located on Crego Road, in Afton Township, is hereby approved for property being legally described in Exhibit “A” attached hereto.

SECTION THREE: This approval of a Special Use Permit is subject to the following conditions:

1. The project site shall be in substantial conformance to the Revised Zoning Site Plan, submitted at the November 14, 2018 Hearing, and a revised site plan shall be submitted, providing a detailed view of all elements of the project site, including the provision of a parking space situated in such a way as to not impede travel along the access roads on the site.

2. The project shall be in substantial conformance with the plans and materials submitted in the application for the Special Use Permit and presented at the public hearing.

3. A Site Development Permit shall be applied for and approved prior to the issuance of any Building Permits. Prior to issuance of the Site Development Permit, the following items shall be addressed:
   a. The applicant shall seek and gain approval of their ground cover plans from the DeKalb County Soil and Water Conservation District;
   b. The applicant must submit a Tile Investigation Report showing the entire area;
   c. The applicant shall demonstrate compliance with the Illinois NPDES permit.

4. The petitioner shall locate, maintain, and protect all drain tiles within the project area.

5. The petitioner shall submit a copy of the signed Agricultural Impact Mitigation Agreement prior to the issuance of any building permits.

6. The petitioner shall demonstrate compliance with the regulations of the Illinois Historic Preservation Agency, and with all other required State and Federal regulations and permit requirements, prior to the issuance of any building permits.

7. The petitioner shall provide evidence that an Interconnection Agreement has been completed with the electrical utility prior to issuance of the Building Permit.

8. The petitioner shall verify that the project site will not be within 500 feet of an airport or within the approach zones of an airport.
9. The petitioner shall seek and received approval of a Decommissioning Plan, and post the associated financial guarantee prior to issuance of the Building Permit.

10. Every five (5) years, for the life of the facility, the petitioner shall submit an updated estimate for the review and approval of the County Engineer, and the financial guarantee updated, as needed, to address any changes.

11. The petitioner shall provide verification that the Liability Insurance and Indemnification requirements of Section 5.12.A.8 will be met.

12. A landscape plan detailing all of the landscaping to be installed with the project shall be submitted for review and approval by the DeKalb County Community Development Director.

13. The petitioner shall establish a Road Use Agreement with the County Highway Department and the Township Road Commissioner(s) prior to the issuance of a Building Permit.

14. All lines are to be located underground, except at the connection point to the electrical grid, which should be located within or adjacent to the right-of-way of a road.

15. The County Board waives the requirements that the drive aisles and parking areas be paved, curbed, and landscaped.

16. The Special Use Permit will expire if Building Permits are not sought within 18 months of the approval of the Special Use Permit.

SECTION FOUR: This Ordinance shall be in full force and effect upon its adoption by the County Board of DeKalb County, Illinois.

PASSED BY THE COUNTY BOARD THIS 16TH DAY OF JANUARY, 2019, A.D.

Mark Pietrowski, Jr.
Chairman, DeKalb County Board

ATTEST:

Douglas J. Johnson
DeKalb County Clerk
Exhibit “A”

Legal Description of the Subject Property

THAT PART OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEKALB COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION, 304.06 FEET; THENCE EAST, NORMAL FROM THE LAST DESCRIBED COURSE, 50 FEET, MORE OR LESS, TO THE EAST RIGHT OF WAY LINE OF CREGO ROAD; THENCE CONTINUING ON THE LAST DESCRIBED COURSE, 100 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ON THE LAST DESCRIBED COURSE, 1000 FEET; THENCE SOUTH, NORMAL FROM THE LAST DESCRIBED COURSE AND PARALLEL WITH SAID WEST LINE OF SAID NORTHWEST QUARTER, 600 FEET; THENCE WEST, NORMAL FROM THE LAST DESCRIBED COURSE, 1000 FEET; THENCE NORTH, NORMAL FROM THE LAST DESCRIBED COURSE AND PARALLEL WITH SAID WEST LINE OF SAID NORTHWEST QUARTER, 600 FEET TO SAID POINT OF BEGINNING.

CONTAINS 13.8 ACRES, MORE OR LESS.

P.I.N.: 11-12-100-014
Applicant: WSB & Associates
Contact: Shawn Williams
Address: 701 Xenia Ave S
         Suite 300
         Golden Valley, MN 55416
Project: Whiskey Acres Solar
Address: 11504 Keslinger Road, DeKalb

Date: 09/12/2018
IDNR Project Number: 1902862

Description: This EcoCAT request is for a proposed community solar garden (CSG) project.

Natural Resource Review Results
Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)
The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation is terminated. This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary. Termination does not imply IDNR's authorization or endorsement.

Location
The applicant is responsible for the accuracy of the location submitted for the project.

County: DeKalb
Township, Range, Section:
39N, 4E, 12

IL Department of Natural Resources
Contact
Justin Dillard
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
DeKalb County
Derek Hiland
110 East Sycamore Street
Sycamore, Illinois 60178

Disclaimer
The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project’s implementation, compliance with applicable statutes and regulations is required.
Terms of Use
By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security
EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy
EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.
# EcoCAT Receipt

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## Applicant

<table>
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<tr>
<td>WSB &amp; Associates</td>
<td>701 Xenia Avenue S., Suite 300, Minneapolis, MN 55416</td>
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## Date

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## Description

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## Total Paid

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APPLICATION FOR ZONING ACTIONS

MAP AMENDMENTS, SPECIAL USES AND VARIATIONS

Name of Applicant: Illini Power LLC

Address: 3176 Lionshead Ave.,

City: Carlsbad  State: CA  Zip: 92010

Phone: (760) 603-1933  10-digits only (no dashes or spaces)

Attorney: ____________________________

Address: ____________________________

City: ____________________________  State: IL  Zip: __________

Phone: ____________________________  10-digits only (no dashes or spaces)

Owner of Property: JAMES E WALTER

Address: 11504 Kesligner Road,

City: DeKalb  State: IL  Zip: 60115

Phone: (815) 739-8711  10-digits only (no dashes or spaces)

Address and Legal description of property: (May be attached)
Please see attached Legal Description

MAP AMENDMENTS OR SPECIAL USES

Existing Zoning District: AG-1, Agricultural Zoning District

Existing Use: Farmland / Row Crops

Proposed Map Amendment: ____________________________

OR

Proposed Special Use:
An extension request from previously granted Special Use Permit Ordinance 2019-11 for Community Solar Garden Development. Illini Power LLC has acquired the development rights from previous applicant and developer SolarStone Illinois, LLC. This assignment was confirmed by DeKalb County Community Development Director Derek Hiland on September 27, 2019.
VARIATIONS-Continued

Zoning District: N/A
Existing Use: N/A
Requested Use: N/A

OR

Required Setback: N/A
Requested Setback: N/A

OR

Existing Requirements (Please Specify): N/A

Requested Requirements (Please Specify): N/A

The undersigned grants the DeKalb County Community Development Director or his/her designee and the Hearing Officer permission to enter upon the property described on this application for the purpose of inspection.

Owner or Authorized Agent
Date

Received By
DISCLOSURE OF INTEREST
Pursuant to the requirements of State Statutes (55 ILCS 5/5-12009), please provide the names and addresses of all owners of the property for which the zoning action is requested. If ownership is by a corporation, provide the names and addresses of all officers and directors, and all stockholders owning any interest in excess of 20% of all outstanding stock of such corporation. If the petitioner for zoning action is a business or entity doing business under an assumed name, or if a partnership, joint venture, syndicate or an unincorporated voluntary association, provide the names and addresses of all true and actual owners of the business or entity, the partners, joint ventures, syndicate members or members of the unincorporated voluntary association.

JAMES E WALTER has 100% ownership of the property.
SPECIAL USE REQUESTS

Please provide responses to the following statements:

1. The proposed Special Use complies with all applicable provisions of the applicable district regulations. The solar power generated from the Project does not produce pollution or noise; rather it is a safe, clean and reliable source of energy. Applicant has reviewed the zoning ordinance with County Staff and to the best of our knowledge complies with district regulations.

2. The proposed Special Use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public welfare at large? The Project will not negatively impact the property values of the neighborhood. Property valuation experts from CohnReznick have studied the value of properties that adjoin solar farms in Illinois and Indiana and concluded that the solar farms do not adversely affect the property values in either the short or long term.

3. The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with the property, and the location of the site with respect to the street giving access to it are such that the Special Use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable Zoning District Regulations. In determining whether the Special Use will so dominate the immediate neighborhood, consideration shall be given to:

   a. What are the location, nature and height of buildings, structures, walls and fence on the site?
      Our standard solar system has a maximum height from grade level of nine (9) feet
      Our standard fence is seven (7) feet high.

   b. What is the nature and extent of proposed landscaping and screening on the proposed site?
      No landscaping or screening is being proposed for this site. 100 foot setbacks exist from Crego Road and Governor Beveridge Highway.

4. Address off-street parking and loading area standards. With the exception of temporary parking for site workers at the Project Site during construction of the Project, there will be 2 permanent parking spaces near the front driveway off of Crego Road. We anticipate to only need to check the system twice a year, they will not be in use very often.

5. Address drainage, utility and other such necessary facilities that have been or will be provided.
   Developer does not believe that the solar project will negatively impact storm water runoff. There is
expected to be minimal erosion and sediment during construction as well as minimal impact to the site’s natural storm water runoff post construction. The solar modules are fastened to a racking system at a minimum clearance height of 3’ above grade and the arrays are porous between each solar module and array. 3-4 30' Utility Poles will be installed to comply with ComEd’s interconnection protocol.

6. The proposed uses, where such developments and uses are deemed consistent with good planning practice or can be operated in a manner that is not detrimental to the permitted developments and uses in the district: can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conforms to the applicable regulations of the district in which it is located; and are deemed essential or desirable to preserve and promote the public health, safety and general welfare of DeKalb County. The sole purpose of the Project is to produce clean electricity that benefits the local community. It does not present any aesthetic, space, noise or health concerns that would impede any contemplated development of the surrounding property.
SOLAR ARRAY #1

THAT PART OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEKALB COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 12; THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION, 304.06 FEET; THENCE EAST, NORMAL FROM THE LAST DESCRIBED COURSE, 50 FEET, MORE OR LESS, TO THE EAST RIGHT OF WAY LINE OF CREGO ROAD; THENCE CONTINUING ON THE LAST DESCRIBED COURSE, 100 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ON THE LAST DESCRIBED COURSE, 1000 FEET; THENCE SOUTH, NORMAL FROM THE LAST DESCRIBED COURSE AND PARALLEL WITH SAID WEST LINE OF SAID NORTHWEST QUARTER, 600 FEET; THENCE WEST, NORMAL FROM THE LAST DESCRIBED COURSE, 1000 FEET; THENCE NORTH, NORMAL FROM THE LAST DESCRIBED COURSE AND PARALLEL WITH SAID WEST LINE OF SAID NORTHWEST QUARTER, 600 FEET TO SAID POINT OF BEGINNING.

CONTAINS 13.8 ACRES, MORE OR LESS.
ACCESS AND TRANSMISSION EASEMENT #1

THAT PART OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DEKALB COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

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CONTAINS 0.23 ACRES, MORE OR LESS.
WE, MERITCORP GROUP LLC, HEREBY DECLARE THAT WE HAVE PREPARED THIS DESCRIPTION BASED ON A PROPOSED SOLAR PROJECT, FROM EXISTING PLATS AND RECORDS, FOR WSB & ASSOCIATES, INC.

James P. Meier, PE, PLS, CFM
Professional Land Surveyor
State of Illinois No. 035-3295
Date: 09/27/2018
AF-18-48 and AF-18-49 Report and Recommendations

November 28, 2018

SolarStone Petitions for Special Use

PETITIONS: AF-18-48 and AF-18-49
DATE OF HEARING: November 8, 2018
PUBLISHED HEARING TIME: 1:30 p.m.
LOCATION: DeKalb County Administration Building
110 E. State Street, Sycamore, Illinois

Report of Proceedings and Recommendation

I. Summary of Proceedings

SolarStone is seeking approval for two Special Use Permits on the above petitions to place solar gardens located generally on the southeast corner of Keslinger and Crego roads, in Afton Township. If approved each solar garden will produce 2- megawatts of solar energy. As initially proposed, Project 1 (AF-18-48) will occupy the northwest corner of the property, if approved and cover approximately 13.8 acres. Project 2 (AF-18-49) will occupy the southwest portion of the property and also cover approximately 13.8 acres. The total property parcel size is approximately 81.56 acres. Following the initial public hearing, however, after consultation with the landowner and others, the public hearing for Project 1 (AF-18-48) was continued to November 14, 2018, and a a revised site-plan was submitted placing Project 1 directly adjacent to the east of of Project 2. The revised site plan also placed the interconnection poles in the right-of-way, as requested by County. The property is presently zoned A-1, Agricultural District.

At hearing, present for the County were Derek Hiland, DeKalb County Planning Director, and Marcellus Anderson, Assistant Director. Present for the Petitioner SolarStone was Gordon Simanton. Also present was the landowner, James Walter.

Received into the record at hearing were the following documents and information:

1. Public Notice and the legal description of the subject property.
2. DeKalb County Staff Report, with staff comments and recommendations, and attachments.
3. Correspondence and information from other responsible County agencies and/or other appropriate agencies, including the DeKalb County Soil and Water Conservation District.

4. The petition and attachments submitted by SolarStone in support of petitions AF-18-48 and AF-18-49. Also received on 11-14-18 was a revised site plan for Project 1 showing revisions to the project plan to be more fully in compliance and more accurately represent the project parameters.

After brief recitation of the hearing procedures, the public hearing commenced at approximately 2:15 p.m. and the hearing on AF-18-49 concluded at approximately 3:05 p.m. The initial hearing on AF-18-48 commenced and formally concluded on 11-14-18, after submission of the revised site plan. The next scheduled County action date for this matter of November 28, 2018 was announced on the record. It is my understanding, however, that this date has now been moved by County following the hearing of this matter.

County Staff commenced the testimony by presenting the Staff Report, outlining the nature of the application. County Staff further identified on the record that for the project to proceed a Special Use Permit for the area would need to be approved, as the property is presently zoned A-1, Agricultural District.

On behalf of the Petitioner, Gordon Simanton provided a detailed visual presentation of the proposed projects. He provided considerable information on the low noise output, low glare due to non-reflective panels, and that the panels are designed as contained units, not subject to leaching of any chemical products during use and operation, or decommissioning. He also presented a property value study indicating less than a 1% variation from control homes based on a 1,000 acre, 100-megawatt facility, far greater than being proposed in these two projects. He outlined the 90-120 day construction period, and that all wiring will be placed underground until the grid connection points, and the connection poles will be placed in the right-of-way. He stated he already obtained a drain tile survey for the site and understands the company’s obligations with respect to the tiles. He described the land-preserving nature of the solar production and that it will be returned to agricultural production at the end of the project. He pointed out that for the project life, the soil will not be subject to tilling, pesticides, herbicides, or soil erosion, as would occur if the property remained subject to traditional row-crop production.

Petitioner’s written materials properly addressed the County ordinance issues and criteria with respect to the solar ordinance specific requirements contained in Section 5.12.A of the Zoning Ordinance.

At hearing, the following persons provided comments or questions:

Ray Leger, Afton Township; adjacent property owner. Mr. Leger was present at both hearing dates for AF-18-48, and the scheduled initial public hearing for AF-18-48 and AF-18-49. It was at his request and consideration that the revised site plan for AF-18-48 was created and
submitted, to place the projects side by side, east-west. It was also his request, and Petitioner agreed, that any fencing would be 8-ft cyclone, without barbed wire.

II. Analysis of Section 9.02.B.3 Criteria

1. The proposed special use complies with all applicable provisions of the applicable district regulations.

I find that the proposed Special Use for the petitions can or will comply with all applicable district regulations.

2. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or the public welfare at large.

I find that the proposed Special Use for the petitions will not be unreasonably detrimental to the value of other property in the neighborhood, or the public welfare at large. The projects as proposed are unlikely to produce any noxious odors, glare, or unreasonable noise. In addition, the visual profile of the projects are anticipated to be minimal when combined with the proposed fencing and planted vegetation, and will not deprecate or alter the essential nature and character of the surrounding land.

3. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent the development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:

   A. The location, nature and height of buildings, structures, walls, and fences on the site; and
   B. The nature and extent of proposed landscaping and screening on the proposed site.

I find that the proposed fencing, vegetation, and solar panels to be installed on the projects will not dominate the immediate neighborhood so as to prevent the development and use of neighboring property in accordance with the applicable zoning district regulations. The visual footprint from varying distances is anticipated to be nominal, and the projects will not produce
any noxious noise or particle/water run-off to neighboring properties so as to jeopardize or impede the uses of the neighboring property.

4. **Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.**

Required parking for the proposed site is nominal, and the Petitioner has or will address these issues to the satisfaction of the hearing officer.

5. **Adequate utility, drainage, and other such necessary facilities have been or will be provided.**

The Petitioner's submitted project plans have addressed the issue of drainage to the satisfaction of the hearing officer.

6. **The proposed uses, where such developments and uses are deemed consistent with good planning practice, or can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; shall in all other respects conform to the applicable regulations of the district in which it is located; and are deemed essential or desirable to preserve and promote the public health, safety, and general welfare of DeKalb County.**

The proposed use is deemed consistent with good planning practice. The nature of the proposed use will have nominal impact on the agricultural land, produce much needed clean energy, and can be operated in a manner that is not detrimental to the permitted developments and uses in the district. Further, as proposed, the project appears to be able to be operated in a visually compatible manner, and is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of DeKalb County.

III. **Recommendations**

Based on the above and foregoing, I hereby recommend that the applications for Special Use for petitions AF-18-48 and AF-18-49 be approved by the County. This recommendation is contingent on the Petitioner satisfying the conditions as outlined in the County Staff report, and compliance with all agency requirements of the Soil and Water Conservation District, EPA, and the IDNR, and other appropriate regulatory agencies. Full compliance with Section 5.12.A. of
the Zoning Ordinance is also required. Cooperation with the DeKalb County Highway Department is also required of Petitioner with respect to placement of the access road.

Due to the nominal vehicular traffic anticipated, I further recommend waiver of the requirements of Article 6 of the Zoning Ordinance, which would otherwise require that all areas for driving be paved, curbed, and landscaped. The waiver of Article 6 would further the goals and stated conditions for the projects to have minimal impact on the agricultural nature of the subject property. I recommend that all interconnection poles be placed in the right-of-way, so much as is practical, as recommended by County.

I also recommend that the one-year requirement of commencing the Special Use be waived and extended to eighteen (18) months, as following County approval, should that be the decision of the County, the projects will still be subject to lengthy State regulatory processes that will be required prior to project commencement.

Respectfully submitted,

Dale J. Clark
Hearing Officer
ACKNOWLEDGMENT OF ASSIGNMENT

The undersigned, the authorized signatory of DeKalb County, Illinois, hereby acknowledges, as of September 27, 2019, its acceptance of the pending assignment of the development rights from SolarStone Illinois, LLC to Illini Power LLC and the fact that such assignment does not impact the enforceability of the DeKalb County Special Use Permit Ordinance 2019-11 (Petition AF-18-48) and Special Use Permit Ordinance 2019-12 (Petition AF-18-49) (also referred to as the Whiskey Acres Project 1 and Whiskey Acres Project 2) that was granted by the undersigned to SolarStone Illinois, LLC, and that such special use permit shall remain in full force and effect.

DEKALB COUNTY

By: [Signature]
Name/Title: [Name/Title]

Derek Holm, Director
PROPOSED SOLAR POWER INSTALLATION
WHISKEY ACRES - IL
11504 KESLINGER ROAD, DEKALB, IL 60115

PROJECT DATA

SOLAR POWER SYSTEM SITE LAYOUT

SCALE: 1" = 200'
Illini Power LLC ("Developer") requests a special use extension from Dekalb County for a 2.693 megawatt ("MW") direct current ("DC")/2.00 MW alternative current ("AC") photovoltaic ("PV") ground mounted community solar project ("Site 1") located in the southeastern corner of the intersection of Crego Road and Keslinger Road in the northwest corner area of Section 12, Township 39 North, Range 4 East in DeKalb County, Illinois ("Project Site"). The project was previously approved by the County of Dekalb on January 16th, 2019 by Ordinance 2019-11. A copy of this ordinance has been provided in the special use permit extension request package.

Illini Power LLC acquired the development rights from the previous applicant and developer SolarStone Illinois, LLC. This assignment was confirmed by Dekalb County Community Development Director Derek Hiland on September 27th, 2019. This email confirmation has been included in the permit package.

The project site will compromise roughly 14.16 acres of land of the 81.56-acre parcel. Site 2 will be on the southwestern most area of the parcel, while Site 1 will be located directly east of Site 2. See Site Plan as Exhibit A. The parcel number of the Project Site is 11-12-100-014 and is designated as an “AG-1 Agricultural Zoning District” by Dekalb County. The Project Site is currently owned by James E Walter.

The Developer’s Site Plan Exhibit A is the only modification to the original Special Use Permit application AF-18-48. The Developer has taken Dekalb County’s Ordinance 2019-11, Conditions of Approval, Section 3, Conditions 1 & 14 into account by updating the Site Plan to include a parking space to not impede travel along the access roads, in addition to relocating the ComEd utility and customer poles into the eastern right-of-way of Crego Road.

The solar array location has been setback 100 feet from Crego Road to the west in accordance with Dekalb County’s Solar Ordinance. The Project Site is flat and is not in an area with wetlands or a floodplain. Developer believes the solar projects will negatively impact stormwater runoff. Before building permit submission, Developer will hire an expert to perform a subsurface agricultural drain tile survey encompassing the construction area. The landowner has provided us a map of the existing drain tile layout which has been included in the submission package. A desktop natural resource analysis was conducted for the site and is also provided. The Illinois Natural Heritage Survey Database (INHS) contains no record of state-listed threatened or endangered species in the vicinity of the project location.

Our standard solar system has a maximum height from grade level of approximately nine (9) feet. The panels will slowly move from east to west throughout the day tracking the sun. Spacing between the rows of solar modules will be between 14-20 feet. The solar systems will not be operational nor move at night. There is minimal noise impact of the solar system. The projects will also be fenced in with a perimeter chain-linked fence that will have a height of 7 feet. The fence will contain code compliant safety and high voltage warning signs on all sides.

Based on our initial site survey, the Projects will not require any grading. After we clear the land in preparation for construction, the Projects will only disturb the land within the fenced area with: (i) pile-driven posts to support the Projects’ racking system and solar modules, (ii) three or four utility...
poles that will rise up to approximately 30 feet high and interconnect to a nearby utility line pursuant to our interconnection request for new generation service with the local utility (as indicated on the site plan at Exhibit A), (iii) a concrete equipment pad with dimensions of approximately 11 feet x 27 feet, (iv) an access gate at the northeast corner of the fence to serve as an access point for fire access and site maintenance, (v) a 20 foot wide road will run east from Crego Road through the middle of the Project Site.

Applicant requests a waiver of Article 6 of the Zoning Ordinance in regards to the access road as previously recommended by Hearing Officer Dale J. Clark on November 28th, 2018 for AF-18-48 for a Petition of Special Use and granted by Dekalb County as Condition 15 in Ordinance 2019-11. Due to the nominal vehicular traffic anticipated, we request for a waiver of the requirements of which would otherwise require that all areas for driving be paved, curbed, and landscaped. The waiver of Article 6 would further the goals and stated conditions for the projects to have minimal impact on the agricultural nature of the subject property. A copy of the AF-18-48 Report of Proceedings will be included in the SUP application package.

There is expected to be minimal erosion and sediment during construction as well as minimal impact to the site’s natural storm water runoff post construction. Developer will comply with the Dekalb County Solar Ordinance and will have a decommissioning plan completed by building permit submission.

Developer will employ standard solar PV modules (approximately 5 feet x 7 feet). Such modules will be placed on a galvanized steel racking system with bolts and screws. The solar modules are fastened to a racking system at a minimum clearance height of 3’ above grade and the arrays are porous between each solar module and array. No welding or material cutting of equipment will be done at the Project Site. The projects will utilize smart string inverters that will hang on the racking system with dimensions of approximately 2 feet x 3 feet x 1 feet. These inverters are used to convert DC power from the modules to AC power to the utility transformer at 480 volts.

The solar power generation from the projects will be sold by Developer to local entities within Commonwealth Edison electric service territory on a virtual basis (i.e. school districts, water districts, businesses, residents) through the upcoming community solar program administered by the state of Illinois and Commonwealth Edison.
EXHIBIT A

[SITE PLAN ATTACHED]